



MELLINGER KARTZMAN LLC  
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*Attorneys for Steven P. Kartzman, Chapter 7 Trustee*

Order Filed on August 8, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In re:

NICHOLAS PEZZA,

Debtors.

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

Case No.: 16-33371 (RG)

Chapter 7

Honorable Rosemary Gambardella

**CONSENT ORDER RESOLVING CLAIM FOR TURNOVER  
OF PROPERTY OF THE ESTATE TO THE TRUSTEE  
PURSUANT TO 11 U.S.C. § 542(a)**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby  
ORDERED.

**DATED: August 8, 2024**

A handwritten signature in cursive script, reading "Rosemary Gambardella", is written over a horizontal line.  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

Page: Page 2 of 2  
Debtor: Nicholas Pezza  
Case No.: 16-33371 (RG)  
Caption: Consent Order Resolving Claim for Turnover of Property of the Estate to the Trustee Pursuant to 11 U.S.C. § 542(a)

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THIS MATTER having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the "Trustee"), by and through his attorneys Mellinger Kartzman LLC, on application for entry of a Consent Order in lieu of motion resolving claim for turnover of property of the estate to the Trustee Pursuant to 11 U.S.C. § 542(a), and the Trustee and the debtor, Nicholas Pezza (the "Debtor"), having agreed to amicably resolve the issues on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

**ORDERED AS FOLLOWS:**

1. The Debtor shall pay to the Trustee the sum of \$7,000.00 (the "Settlement Amount"), in order to redeem the non-exempt equity in the Debtor's interest in the property located at Lot 45, Block 18, Royal Highlands, Unit No. 1, Hernando County, Florida (the "Property"), as follows:

- a. \$1,000 per month beginning on August 1, 2024, and on the first of each month thereafter, for a total of seven (7) months (the "Settlement Payments").

2. To the extent that the Debtor fails to pay any of the required Settlement Payments, the Trustee shall file a certification of default with the Court on notice to the Debtor. Should the Debtor fail to cure the default within ten (10) days of the filing of a certification of default, the Court shall:

- a. Enter a non-dischargeable judgment against the Debtor in an amount 1.5 times the Settlement Amount, less payments made to the Trustee (the "Judgment"); and
- b. Enter an order compelling the Debtor to cooperate with the listing and sale of the Property, the proceeds of which shall be applied against the Judgment.

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3. Once the Trustee receives the Settlement Amount, or if applicable, the Judgment amount and costs, the Trustee shall file a Notice of Abandonment as to the Property.

4. The parties hereto shall execute any and all documents and pleadings reasonably necessary to implement all of the foregoing provisions.

5. The terms of this Consent Order are subject to the Court's approval and the issuance of a Notice of Settlement (the "Notice") and the following:

- (a) If no objection to the Notice is filed, the issuance and docketing of a Certification of No Objection by the Clerk of the Bankruptcy Court; or
- (b) If any objection to the Notice is filed, the overruling of any such objection by this Court.

In the event that an objection to the settlement is filed and sustained, the parties shall be restored to their pre-settlement positions.

6. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

7. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

*The undersigned hereby consent to  
the form and entry of the within Order:*

MELLINGER KARTZMAN LLC  
*Attorneys for Trustee*

By:   
JUDAH B. LOEWENSTEIN, ESQ.

DONALD TROY BONOMO  
*Attorneys for Nicholas Pezza*

By:   
DONALD T. BONOMO, ESQ.

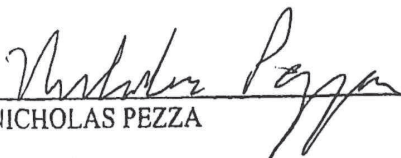
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Case No.: 16-33371 (RG)  
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U.S.C. § 542(a)

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Dated: July ~~30~~ 2024

Dated: July 27 2024

NICHOLAS PEZZA

By: \_\_\_\_\_  
NICHOLAS PEZZA

Dated: July 27 2024

In re:  
Nicholas Pezza  
Debtor

Case No. 16-33371-RG  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Aug 08, 2024

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 10, 2024:

Recip ID	Recipient Name and Address
db	+ Nicholas Pezza, 488 Dewey Avenue, Saddle Brook, NJ 07663-5904
aty	+ Michael J. Cavallaro, 25 Lafayette Place, Kearny, NJ 07032-2228

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 10, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 8, 2024 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Deutsche Bank National Trust Company as Trustee for the Holders of New Century Home Equity Loan Trust Series 2005-A, Asset Backed Pass-Through Certificates dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Donald Troy Bonomo	on behalf of Debtor Nicholas Pezza dbonomo123@gmail.com tdr68458@notify.bestcase.com
Elizabeth L. Wassall	on behalf of Creditor U.S. Bank National Association as Trustee, for Lehman Mortgage Trust Mortgage Pass Through Certificates Series 2006-2 ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com
Francesca Ann Arcure	on behalf of Creditor Nationstar Mortgage LLC as servicer for U.S. Bank National Association, as Trustee, for Lehman Mortgage Trust Mortgage Pass Through Certificates Series 2006-2 farcure@hillwallack.com, NJ_ECF_Notices@McCalla.com
Francis J. Ballak	

District/off: 0312-2

User: admin

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Date Rcvd: Aug 08, 2024

Form ID: pdf903

Total Noticed: 2

on behalf of Creditor Christiana Trust as Custodian francis@gmslaw.com

Joseph R Zapata, Jr

on behalf of Trustee Steven P. Kartzman jzapata@msbnj.com

Judah B Loewenstein

on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net  
sjayson@msklaw.net;pmasiello@msklaw.net;donnaz@msklaw.net

Keith A. Bonchi

on behalf of Creditor Christiana Trust as Custodian keith@gmslaw.com

Kevin C. Orr

on behalf of Interested Party NEW STREET PIZZERIA LLC firm@orr-law.com, firm@orr-law.com

Laura M. Egerman

on behalf of Creditor U.S. Bank National Association laura.egerman@mccalla.com mcallaef@ecf.courtdrive.com

Michael A. Artis

on behalf of U.S. Trustee U.S. Trustee michael.a.artis@usdoj.gov

Robert P. Saltzman

on behalf of Creditor MTGLQ Investors LP c/o Rushmore Loan Management Services, LLC dnj@pbslaw.org

Steven A. Jayson

on behalf of Trustee Steven P. Kartzman sjayson@msklaw.net  
jloewenstein@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Accountant WithumSmith+Brown PC Trustee@msklaw.net  
nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Attorney Mellinger Kartzman LLC Trustee@msklaw.net  
nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

Trustee@msklaw.net  
nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Appraiser A. Atkins Appraisal Corp Trustee@msklaw.net,  
nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Steven P. Kartzman

on behalf of Trustee Steven P. Kartzman Trustee@msklaw.net  
nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net

Stuart H. West

on behalf of Creditor MTGLQ Investors LP c/o Rushmore Loan Management Services, LLC swest@pbslaw.org

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

United States Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 21